SUPREME COURT OF THE UNITED STATES.

No. 336.—October Term, 1930.

United States of America *ex rel.* Costas Cateches,
vs.
Benjamin M. Day, Commissioner of Immigration.

[March 23, 1931.]

Mr. Justice Holmes delivered the opinion of the Court.

This case also arose in the Second Circuit, upon facts similar to those in No. 92, *supra*. The petitioner arrived in this country in October, 1925, upon an Italian ship, deserted at once and since has been engaged in land employment. He was arrested May 8, 1929, and after hearing was ordered to be deported on the same ground as the petitioner in No. 92. A writ of habeas corpus was applied for alleging that the arrest was not made within three years from the date of entry. The writ was dismissed by the District Court and the order was affirmed by the Circuit Court of Appeals. A writ of certiorari was granted by this Court.

Judgment affirmed.

A true copy.

Test:

Clerk, Supreme Court, U. S.